

PHILLIP A. TALBERT
United States Attorney
JESSICA A. MASSEY
Assistant United States Attorney
2500 Tulare Street, Suite 4401
Fresno, CA 93721
Telephone: (559) 497-4000
Facsimile: (559) 497-4099

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICARDO BALLARDO QUINTERO, and
JUAN SUAREZ, JR.,

Defendants.

CASE NO. 1:21-CR-00257-JLT-SKO

STIPULATION TO VACATE STATUS
CONFERENCE DATE, SET THE MATTER FOR
TRIAL, AND EXCLUDE TIME PERIODS UNDER
THE SPEEDY TRIAL ACT; ORDER

CURRENT DATE: April 5, 2023
TIME: 1:00 p.m.
COURT: Hon. Sheila K. Oberto

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendants, by and through defendants' counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status conference on April 5, 2023.
2. The parties hereby request that the Court vacate the current status conference date, set this matter for trial on October 24, 2023, and exclude time between April 5, 2023, and October 24, 2023, under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]. The parties further request a trial confirmation date be set for September 25, 2023.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government represents that the discovery associated with this case has been provided. The government is aware of its ongoing discovery obligations.

b) The parties are in plea discussions.

c) Counsel for defendant desires additional time to confer with their clients about a possible resolution, to review discovery, and to otherwise prepare for trial.

d) Counsel for defendants believes that failure to grant the above-requested continuance would deny him/her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

e) The government does not object to the continuance.

f) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of April 5, 2023, to October 24, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: March 29, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ JESSICA A. MASSEY
JESSICA A. MASSEY
Assistant United States Attorney

Dated: March 29, 2023

/s/ ROBERT LEE FORKNER
ROBERT LEE FORKNER
Counsel for Defendant
RICARDO BALLARDO
QUINTERO

1 Dated: March 29, 2023

/s/ PRECILIANO MARTINEZ
PRECILIANO MARTINEZ
Counsel for Defendant
JUAN SUAREZ JR.

4 **ORDER**

5 The status conference date currently scheduled for April 5, 2023, is vacated. The matter is
6 hereby scheduled for trial on October 24, 2023, with a trial confirmation date set for September 25,
7 2023.

8 Time shall be excluded from April 5, 2023, through October 24, 2023, pursuant to 18 United
9 States Code Section 3161(h)(7)(A), B(iv), to allow the parties to sufficiently prepare for trial and
10 continue their plea discussions. The Court finds that the ends of justice outweigh the interest of the
11 defendant and the public in a speedy trial.

12 IT IS SO ORDERED.

13
14 DATED: 3/29/2023

Sheila K. Oberto

Hon. Sheila K. Oberto
U.S. Magistrate Judge